

Decision No. C14-0587

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 14A-0345CP-TRANSFER

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IN THE MATTER OF THE APPLICATION FOR AUTHORITY TO TRANSFER  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55791 FROM  
WIDE OPEN ADVENTURE LLC TO PREMIUM ADVENTURE TOURS LLC.

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**COMMISSION DECISION APPROVING  
TRANSFER OF CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY**

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Mailed Date: June 2, 2014  
Adopted Date: May 28, 2014

**I. BY THE COMMISSION**

**A. Statement, Findings, and Conclusions**

1. On April 15, 2014, Wide Open Adventure, LLC filed an application for approval to transfer Certificate of Public Convenience and Necessity (CPCN) PUC No. 55791 to Premium Adventure Tours, LLC.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on April 21, 2014.

3. No petition to intervene or otherwise participate in this proceeding has been filed. This proceeding is uncontested. Under § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

4. The information submitted with this application complies with Rule 6205(c) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6, and warrants the granting of the requested transfer. In particular, pursuant to

Rule 6205(c)(XVI), 4 CCR 723-6, the information submitted with the application establishes the following:

- (A) the transferor has not abandoned the authority and has not allowed the authority to become dormant;
- (B) the transferor has been and is engaged in *bona fide* operations under its authority;
- (C) the transfer is not contrary to the public interest;
- (D) the transfer will not result in the common control or ownership of duplicating or overlapping authorities; and,
- (E) the transferee will engage in *bona fide* regulated intrastate carrier operations and is fit to do so.

5. The financial standing of Premium Adventure Tours, LLC has been satisfactorily established.

6. This application for permanent approval of the transfer of CPCN PUC No. 55791 is in the public interest and will be granted.

7. CPCN PUC No. 55791 contains the antiquated term “limousine service.” By Rule 6201, 4 CCR 723-6, which became effective August 1, 2012, the Commission adopted the term “shuttle service” to replace “limousine service.” Therefore, the Commission finds good cause to revise CPCN PUC No. 55791 as set forth in the Appendix attached to this Decision.

## **II. ORDER**

### **A. The Commission Orders That:**

1. This application was deemed complete on May 28, 2014, within the meaning of § 40-6-109.5, C.R.S.

2. The application filed by Wide Open Adventure, LLC for approval to transfer Certificate of Public Convenience and Necessity PUC No. 55791, subject to encumbrances, if any, against the authority, to Premium Adventure Tours, LLC is granted.

3. Premium Adventure Tours, LLC shall operate in accordance with all applicable Commission rules and regulations.

4. Wide Open Adventure, LLC shall file a terminating annual report from the first of January to the date of this Decision.

5. Premium Adventure Tours, LLC shall not commence operation until it has:

- (a) caused proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission in accordance with applicable rules;
- (b) paid to the Commission, the motor vehicle fee (\$5) for each vehicle to be operated under authority granted by the Commission, or in lieu thereof, paid the fee for such vehicle(s) pursuant to the Unified Carrier Registration Agreement;
- (c) filed an adoption notice that adopts as its own the currently effective tariff of Wide Open Adventure, LLC;
- (d) paid the applicable issuance fee (\$5);
- (e) filed an acceptance of transfer form, executed by Wide Open Adventure, LLC and Premium Adventure Tours, LLC; and,
- (f) received notice in writing from the Commission that it is in compliance with the above requirements and may begin service.

6. If Wide Open Adventure, LLC and Premium Adventure Tours, LLC do not comply with the requirements of this Decision within 60 days of its effective date, then the approval to transfer Certificate of Public Convenience and Necessity PUC No. 55791 shall be void. For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within the 60 days.

7. Within six months of the Mailed Date of this Decision, Premium Adventure Tours, LLC shall file an advice letter and tariff in its own name.

8. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails or serves this Decision.

9. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
May 28, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JOSHUA B. EPEL

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PAMELA J. PATTON

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GLENN A. VAAD

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Commissioners